

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MAINE STATE RETIREMENT
SYSTEM, Individually and On Behalf
of All Others Similarly Situated,

Plaintiffs,

vs.

COUNTRYWIDE FINANCIAL
CORPORATION, a Delaware
corporation; COUNTRYWIDE HOME
LOANS, INC.; CWALT, INC., a
Delaware corporation; CWMBS, INC., a
Delaware corporation; CWABS, INC., a
Delaware corporation; CWHEQ, INC., a
Delaware corporation; COUNTRYWIDE
CAPITAL MARKETS;
COUNTRYWIDE SECURITIES
CORPORATION; J.P. MORGAN
SECURITIES INC.;

[CAPTION CONTINUED ON NEXT
PAGE]

No. 2:10-CV-00302-MRP (MANx)

[PROPOSED] ORDER APPOINTING
LEAD PLAINTIFF AND
APPROVING SELECTION OF LEAD
COUNSEL

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COUNSEL

No. 2:10-CV-00302-MRP (MANx)

1 DEUTSCHE BANK SECURITIES
2 INC.; BEAR, STEARNS & CO. INC.;
3 BANC OF AMERICA SECURITIES
4 LLC; UBS SECURITIES, LLC;
5 MORGAN STANLEY & CO.
6 INCORPORATED; EDWARD D.
7 JONES & CO., L.P.; CITIGROUP
8 GLOBAL MARKETS INC.;
9 GOLDMAN, SACHS & CO.; CREDIT
10 SUISSE SECURITIES (USA) LLC;
11 GREENWICH CAPITAL MARKETS,
12 INC. A.K.A. RBS GREENWICH
13 CAPITAL; BARCLAYS CAPITAL
14 INC.; HSBC SECURITIES (USA); BNP
15 PARIBAS SECURITIES CORP.;
16 MERRILL LYNCH, PIERCE, FENNER
17 & SMITH, INCORPORATED;
18 STANFORD L. KURLAND; DAVID A.
19 SPECTOR; ERIC P. SIERACKI; N.
20 JOSHUA ADLER; RANJIT
21 KRIPALANI; JENNIFER S.
22 SANDEFUR; DAVID A. SAMBOL,

Defendants.

1
2 **WHEREAS**, putative class member, Putnam Bank (“Putnam”), has moved,
3 pursuant to §27(a)(3)(B) of the Securities Act of 1933, for appointment as lead
4 plaintiff and for approval of Scott+Scott LLP (“Scott+Scott”) as lead counsel for
5 plaintiffs and the Class, and good cause appearing therefore:
6

7 **IT IS HEREBY ORDERED as follows:**

8
9 1. Putnam is the most adequate plaintiff and is appointed as Lead Plaintiff
10 for the Class in this action (and any subsequently consolidated or related actions) to
11 represent the Class.
12

13 2. Lead Plaintiff’s selection of Lead Counsel for the Class is hereby
14 approved. The law firm of Scott+Scott is appointed as Lead Counsel pursuant to
15 §27(a)(3)(B)(v) of the Securities Act.
16

17 3. At the direction of Lead Plaintiff, Lead Counsel shall have the authority
18 to speak for all plaintiffs and class members in all matters regarding the litigation
19 including, but not limited to, pre-trial proceedings, motion practice, trial and
20 settlement, and shall make all work assignments in such a manner as to facilitate the
21 orderly and efficient prosecution of this litigation an to avoid duplicative or
22 unproductive effort. Additionally, lead counsel shall have the following
23 responsibilities:
24
25

26 (a) to brief and argue motions;
27

1 (b) to initiate and conduct discovery, including, without limitation,
2 coordination of discovery with defendants' counsel, the preparation of written
3 interrogatories, requests for admissions, and requests for production of
4 documents;
5

6 (c) to direct and coordinate the examination of witnesses in
7 depositions;
8

9 (d) to act as spokesperson at pretrial conferences;

10 (e) to call and chair meetings of plaintiffs' counsel as appropriate or
11 necessary from time to time;
12

13 (f) to initiate and conduct any settlement negotiations with counsel for
14 defendants;
15

16 (g) to provide general coordination of the activities of plaintiffs'
17 counsel and to delegate work responsibilities to selected counsel as may be
18 required in such a manner as to lead to the orderly and efficient prosecution of
19 this litigation and to avoid duplication or unproductive effort;
20

21 (h) to consult with and employ experts;

22 (i) to receive and review periodic time reports of all attorneys on
23 behalf of plaintiffs, to determine if the time is being spent appropriately and for
24 the benefit of plaintiffs, and to determine and distribute plaintiffs' attorneys'
25 fees; and
26
27

1 (j) to perform such other duties as may be expressly authorized by
2 further order of this Court.

3
4 4. Lead Counsel shall be responsible for coordinating all activities and
5 appearances on behalf of the Class and for disseminating notices and orders of this
6 Court.

7
8 5. No motion, application or request for discovery shall be served or filed,
9 or other pretrial proceedings initiated, on behalf of Lead Plaintiff, except through Lead
10 Counsel.

11
12 6. All notices, proposed orders, pleadings, motions, discovery, and
13 memoranda requiring a response in less than 30 days shall be served upon Lead
14 Counsel and defense counsel by the Court's Electronic Case Filing ("ECF") system,
15 overnight mail service, telecopy, and/or hand delivery.

16
17 7. All other service shall take place by regular mail.

18
19 8. Lead Counsel for the Class shall be available and responsible for
20 communications to and from the Court.

21
22 9. Defendants' counsel may rely upon all agreements made with Lead
23 Counsel, or other duly authorized representatives of Lead Plaintiff.

24
25 10. This Order shall apply to each case subsequently filed in this Court or
26 transferred to this Court, unless a party objecting to the consolidation of such case or
27 to any other provision of this Order files within ten (10) days after the date upon

1 which a copy of this Order is mailed to counsel for such party, an application for relief
2 from this Order or any provision herein and this Court deems it appropriate to grant
3 such application.
4

5 IT IS SO ORDERED.

6
7
8 DATED: _____

UNITED STATES DISTRICT JUDGE

9
10 Presented by:

11
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